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PATENT
3239-104P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: REYES, Antonis et al. Conf.: 1014
Appl. No.: 09/544,773 Group: 1656
Filed: April 7, 2000 Examiner: HOUTTEMAN, S.
For: LINKED LINEAR AMPLIFICATION OF NUCLEIC
ACIDS

AMENDMENT

Assistant Commissioner for Patents
Washington, DC 20231

July 2, 2001

Sir:

In reply to the Examiner's Office Action dated April 25, 2001, in connection with the above-identified application, the following remarks are respectfully submitted.

REMARKS

The Examiner has rejected claims 1-30 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over the claims of U.S. Patent No 6, 027,923.

Applicants have filed a Terminal Disclaimer in compliance with 37 CFR 1.321 (c) to overcome this rejection. The Terminal Disclaimer is attached hereto as well as the appropriate fee of \$110.00.

In view of the above remarks, all the claims remaining in the case are submitted as defining non-obvious, patentable subject matter. Reconsideration of the rejections and allowance of the claims are respectfully requested.

If the Examiner has any questions concerning this application, the Examiner is requested to contact the undersigned at (714) 708-8555 in California

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope to: Commissioner of Patents and Trademarks, Washington

D.C. 20231 on: 7-2-01
(Date of deposit)

BIRCH, STEWART, KOLASCH & BIRCH, LLP

[Signature]
(Signature)

July 7, 2001
(Date of Signature)
LRS/SWG/clh
3239-104P

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By [Signature]
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Attachment: Terminal Disclaimer